

Sherman, Jack

From: Sherman, Jack
Sent: Friday, September 19, 2003 7:04 PM
o: 'Christian Lenz Cesar'
Subject: 'Thomas A. Cofino'; 'Louis J. Percello, Sr. IP Law Attorney'; 'Rodney T. Hodgson, PhD.'
FW: Continuing Patent Application on "RFID System with Write Broadcast Capability";
Delivery Status Notification (Failure)

Importance: High
Sensitivity: Confidential

Mr. Cesar:

Thank you very much for advising me of your post office and e-mail addresses.

** (1) I shall assume that your residence city is Shrub Oak unless you advise to the contrary. **

Since my original e-mail to you of September 19, 2003 11:22 AM addressed: christianlcesar@hotmail.com received a delivery failure report from: postmaster@mail.hotmail.com

as shown below, I am resending the message without the pdf attachment of the Write Broadcast published continuing patent application (publication number: US 2002/0118097 A1 with publication date of August 29, 2002, which can be viewed on the US Patent Office web site at <http://appft1.uspto.gov/netahtml/PTO/srchnum.html> as published application number 20020118097). The original claims 1-36 of the continuing application as filed August 24, 1999, begin at the second page of the published application as shown on the Patent Office web site.

To remind you of the patent specification and claims of the write broadcast case, I referred above to the published continuing application which corresponds to the original continuing application as filed August 9, 1996. The Notice of Allowance in the subject continuing application shows original claims 2-6, 8, 9, 11, 12, 14-21, 23-26, and 30-33 as allowed, these claims being shown beginning at the second page of the published application as shown on the US Patent Office web site, and being similar to corresponding claims of the prior patent 5,942,987 (but without certain amendments added to the issued patent claims of 5,942,987 before allowance).

While the continuation case has been formally allowed, the Examiner has required a new declaration that "acknowledges the duty to disclose to the [Patent] Office all information known to the person [who signs the new Declaration] to be material to patentability as defined in 37 CFR 1.56 which occurred between the filing date of the prior application [Application No. 08/303,965 filed September 9, 1994, now USP 5,673,037 to RFID Tag Group Select] and the national ... filing date of the continuation-in part application [Application No. 08/694,606 filed August 9, 1996, now USP 5,942,987 to RFID System with Write Broadcast Capability]". (Bracketed inserts added by me to the quoted passage from the Notice of Allowance dated July 1, 2003, for explanation)

The cross reference in the write broadcast USP 5,942,987, claiming continuation-in-part status relative to USP 5,673,037, was added by Intermec after the write broadcast case was originally signed, and hence the need for the new Declaration (and Assignment).

** (2) I plan to send to you a copy of the continuation-in-part application to write broadcast, and a new Declaration and Assignment for your signature, by US Postal Service express mail to your P.O. Box 642, with a return addressed express mail label with my account number. **

** (3) Please let me know if the application papers should be sent to a different address.